

INTERIM CONVEYANCE

WHEREAS

Nu-Nachk Pit, Inc.

is entitled to a conveyance pursuant to sections 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 702, 715; 43 U.S.C. 1601, 1613(a), 1621(j) (Supp. V, 1975)), of the surface estate in the following described lands:

LANDS OUTSIDE THE KODIAK NATIONAL WILDLIFE REFUGE (PLO 1634)

Seward Meridian, Alaska (Surveyed)

That portion of Lot 3 of Block 1, Tract A, U.S. Survey No. 4872, Alaska, outside PLO 1634.

Containing approximately 2 acres.

T. 30 S., R. 29 W.

Sec. 31: Lot 15, that portion outside PLO 1634;  
Lot 16, that portion outside PLO 1634;  
S $\frac{1}{2}$ SE $\frac{1}{4}$ , that portion outside PLO 1634;  
Sec. 32: Lot 7, that portion outside PLO 1634;  
Lot 8, that portion outside PLO 1634;  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , that portion outside PLO 1634;  
SW $\frac{1}{4}$ , that portion outside PLO 1634.

Containing approximately 181 acres.

Seward Meridian, Alaska (Unsurveyed)

T. 31 S., R. 28 W.

Sec. 20 (fractional), that portion outside PLO 1634 and excluding U.S. Survey No. 3971.

Containing approximately 5 acres.

T. 32 S., R. 28 W.

Sec. 18 (fractional), that portion outside PLO 1634 and excluding Native allotment AA-7448 Parcel C and Lots 1, 2, 3 and 4;  
Sec. 19 (fractional), that portion outside PLO 1634 and excluding U.S. Survey No. 1866 and Native allotment AA-7448 Parcel C;  
Sec. 20 (fractional), that portion outside PLO 1634 and excluding Native allotment AA-7448 Parcel C.

Containing approximately 55 acres.

T. 30 S., R. 29 W.

Sec. 25 (fractional), all;  
Sec. 36 (fractional), all.

Containing approximately 840 acres.

T. 31 S., R. 29 W.

Secs. 1 and 2 (fractional), all;  
Secs. 11 and 12 (fractional), excluding Native allotment AA-7396 Parcel B;

Sec. 13, excluding Native allotment AA-7449;  
Sec. 14 (fractional), excluding Native allotment  
AA-7449;  
Secs. 23, 24, 25 and 26 (fractional), all;  
Secs. 35 and 36 (fractional), all.

Containing approximately 3,375 acres.

Aggregating approximately 4,458 acres outside PLO 1634.

LANDS WITHIN THE KODIAK NATIONAL WILDLIFE REFUGE (PLO 1634)

Seward Meridian, Alaska (Surveyed)

That portion of Lot 3 of Block 1, Tract A, U.S.  
Survey No. 4872, Alaska, within PLO 1634.

Containing approximately 1 acre.

T. 30 S., R. 29 W.

Sec. 29: Lot 3, excluding Native allotment AA-7396  
Parcel A;  
Lot 6, excluding Native allotment AA-7396  
Parcel A;  
Sec. 31: Lot 15, that portion within PLO 1634;  
Lot 16, that portion within PLO 1634;  
SE $\frac{1}{4}$ , that portion within PLO 1634;  
Sec. 32: Lot 7, that portion within PLO 1634;  
Lot 8, that portion within PLO 1634;  
SE $\frac{1}{4}$ NW $\frac{1}{4}$ , that portion within PLO 1634;  
SW $\frac{1}{4}$ , that portion within PLO 1634.

Containing approximately 153 acres.

T. 30 S., R. 30 W.

Sec. 33: W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ .

Containing approximately 40 acres.

Seward Meridian, Alaska (Unsurveyed)

T. 30 S., R. 28 W.

Secs. 18, 19 and 20 (fractional), all;  
Sec. 28 (fractional), all;  
Sec. 29, all;  
Secs. 30, 31 and 32 (fractional), those portions  
within PLO 1634.

Containing approximately 2,764 acres.

T. 31 S., R. 28 W.

Sec. 5 (fractional), excluding Native allotment  
AA-7318;  
Sec. 8 (fractional), all;  
Sec. 9, all;  
Secs. 14, 15 and 16, all;  
Sec. 17 (fractional), all;  
Sec. 20 (fractional), that portion within PLO 1634  
and excluding U.S. Survey 3971;  
Secs. 22, 23 and 24, all;  
Secs. 29 and 32 (fractional), all.

Containing approximately 7,135 acres.

T. 32 S., R. 28 W.

Sec. 18 (fractional), that portion within PLO 1634;  
Sec. 19 (fractional), that portion within PLO 1634  
and excluding U.S. Survey 1866;  
Sec. 20 (fractional), that portion within PLO 1634;  
Sec. 21 (fractional), all;  
Secs. 28, 29 and 30 (fractional), all;  
Secs. 32, 33 and 34 (fractional), all.

Containing approximately 2,420 acres.

T. 30 S., R. 29 W.

Sec. 5 (fractional), excluding U.S. Survey 2586;  
Sec. 6, all;  
Sec. 7, excluding Native allotment AA-7448 Parcel A;  
Secs. 8 and 17 (fractional), all;  
Secs. 18 and 19, all;  
Sec. 20 (fractional), excluding Native allotment  
AA-7123 Parcel A;  
Secs. 28, 33 and 34 (fractional), all.

Containing approximately 3,504 acres.

T. 31 S., R. 29 W.

Sec. 3 (fractional), excluding U.S. Survey 1829;  
Secs. 5, 6, 7 and 8, all;  
Secs. 10 and 15 (fractional), all;  
Secs. 22 and 27 (fractional), all;  
Sec. 34 (fractional), all.

Containing approximately 5,019 acres.

T. 32 S., R. 29 W.

Sec. 2 (fractional), excluding U.S. Survey 2208;  
Sec. 3, all;  
Secs. 11 and 12 (fractional), excluding Native  
allotment AA-7395;  
Sec. 13 (fractional), excluding Native allotments  
AA-7395 and AA-7448 Parcel B;  
Sec. 24 (fractional), excluding Native allotment  
AA-7448 Parcel B;  
Secs. 30, 31 and 32, all.

Containing approximately 3,942 acres.

T. 30 S., R. 30 W.

Secs. 1 to 4, inclusive, all;  
Secs. 9 to 13, inclusive, all;  
Secs. 15 to 18, inclusive, all;  
Sec. 24, all;  
Secs. 25 and 26 (fractional), excluding Native  
allotment AA-7460;  
Sec. 29, all;  
Sec. 31, excluding Native allotment AA-7458;  
Sec. 32, all;  
Sec. 34 (fractional), all;  
Sec. 35 (fractional), excluding Native allotment  
AA-7457;  
Sec. 36 (fractional), all.

Containing approximately 12,343 acres.

T. 31 S., R. 30 W.

Sec. 2, excluding Native allotment AA-7457;  
Secs. 3 and 4 (fractional), all;

Secs. 5 to 9, inclusive, all;  
Secs. 16 to 21, inclusive, all;  
Secs. 27 to 34, inclusive, all.

Containing approximately 13,869 acres.

T. 32 S., R. 30 W.

Secs. 2, 3 and 4, all;  
Secs. 9, 10 and 11, all;  
Secs. 13 to 16, inclusive, all;  
Secs. 22, 23 and 24, all;  
Sec. 25, excluding Alaska Native Claims Settlement  
Act Sec. 3(e) application AA-12697;  
Secs. 26 and 27, all;  
Secs. 34 and 35, all;  
Sec. 36, excluding Alaska Native Claims Settlement  
Act Sec. 3(e) application AA-12697.

Containing approximately 12,115 acres.

Aggregating approximately 63,305 acres within PLO 1634.

Total aggregated acreage approximately 67,763 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface estate in the land above-described, TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f) (Supp. V, 1975)).
2. Pursuant to section 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b) (Supp. V, 1975)), the following public easements, referenced by easement identification number (EIN) on the easement maps in case file AA-6677-EE, are reserved to the United States and subject to further regulation thereby:
  - a. (EIN 6 D9, L) An easement for a proposed access trail twenty-five (25) feet in width beginning in Sec. 8, T. 30 S., R. 29 W., Seward Meridian on the shore of Uyak Bay and extending westerly along the left bank of an unnamed creek to Salmon Creek Lake, thence along the shore of the lake, and then southwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
  - b. (EIN 7 D9) An easement for a proposed access trail twenty-five (25) feet in width from the

mean high tide line of Uyak Bay in Sec. 32, T. 30 S., R. 29 W., Seward Meridian, southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

- c. (EIN 8 D9) An easement for a proposed access trail twenty-five (25) feet in width from the mean high tide line of Larsen Bay in Sec. 35, T. 30 S., R. 30 W., Seward Meridian, southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- d. (EIN 9 D9) An easement for a proposed access trail twenty-five (25) feet in width from the mean high tide line of Larsen Bay in Sec. 33, T. 30 S., R. 30 W., Seward Meridian, at site EIN 10 D9, L southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- e. (EIN 11 D9) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 10 D9, L in Sec. 33, T. 30 S., R. 30 W., Seward Meridian, northerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- f. (EIN 12 C6, D9, L) An easement for an existing access trail twenty-five (25) feet in width from site EIN 10 D9, L in Sec. 33, T. 30 S., R. 30 W., Seward Meridian, on the shore of Larsen Bay westerly to site EIN 13a C6, D9, L on the bank of the Karluk River. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- g. (EIN 13a C6, D9, L) A site easement upland of the ordinary high water mark in Secs. 30 and 31, T. 30 S., R. 30 W., Seward Meridian, on the right bank of the Karluk River at the portage area. The site is ten (10) acres in size with an additional 25 foot wide easement on the bed of the river along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- h. (EIN 13b C6, D9, L) A site easement upland of the ordinary high water mark in Sec. 31, T. 30 S., R. 30 W., Seward Meridian on the left bank of the Karluk River in the portage area. The site is two and one-half (2 1/2) acres in size with an additional 25 foot wide easement on the bed of the river along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- i. (EIN 16 C1, C6, D9, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of the Karluk River from the outlet of Karluk Lake

to the northern border of Sec. 31, T. 30 S., R. 30 W., Seward Meridian. Purpose is to provide for public use of waters having highly significant present recreational use.

- j. (EIN 17 D9 C6) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 13a C6, D9, L on the Karluk River in Sec. 31, T. 30 S., R. 30 W., Seward Meridian, southerly to site EIN 21 C1, C6, D9, L at the outlet of Karluk Lake in Sec. 30, T. 31 S., R. 30 W., Seward Meridian. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- k. (EIN 18 C6, L) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 20, C1, C6, D9, L at the outlet of Karluk Lake in Sec. 33, T. 31 S., R. 30 W., Seward Meridian, southwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- l. (EIN 20 C1, C6, D9, L) A fishery management and public use easement upland of the ordinary high water mark in Sec. 33, T. 31 S., R. 30 W., Seward Meridian on the northwest shore of Karluk Lake and the left bank of the Karluk River. The easement is five (5) acres in size with an additional twenty-five (25) foot wide extension on the bed of the river and lake along the entire waterfront of the easement. The easement is used for camping, staging, vehicle use, and for fishery management purposes.
- m. (EIN 21 C1, C6, D9, L) A site easement upland of the ordinary high water mark in Sec. 33, T. 31 S., R. 30 W., Seward Meridian on the northwest shore of Karluk Lake and the right bank of the Karluk River. The site is fifteen (15) acres in size with an additional twenty-five (25) foot wide easement on the bed of the river and lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- n. (EIN 22 C6, D9, L) An easement for a proposed access trail twenty-five (25) feet in width from the mean high tide line of Uyak Bay beginning in Sec. 15, T. 31 S., R. 29 W., Seward Meridian, southwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- o. (EIN 23 C5, D9) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline

are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

- p. (EIN 24 D9) An easement for a proposed access trail twenty-five (25) feet in width from the mouth of Brown's Lagoon northeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- q. (EIN 25 C6) A streamside easement twenty-five (25) feet in width on both banks and the entire bed of Brown's Lagoon (a river) from the mouth of the lagoon to the southern border of Sec. 24, T. 31 S., R. 28 W., Seward Meridian. Purpose is to provide for public use of waters having highly significant present recreational use.
- r. (EIN 27 D9) An easement for a proposed access trail twenty-five (25) feet in width from the mean high tide line of Amook Bay in Sec. 20, T. 31 S., R. 28 W., Seward Meridian, easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- s. (EIN 29 D9) An easement for a proposed access trail twenty-five (25) feet in width from the mean high tide line of Uyak Bay in Sec. 28, T. 32 S., R. 28 W., Seward Meridian, easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- t. (EIN 30a D9) A one (1) acre site easement upland of the mean high tide line in Sec. 32, T. 32 S., R. 28 W., Seward Meridian on the shore of Uyak Bay. The site is for camping, staging and vehicle use.
- u. (EIN 30b D9) An easement for a proposed access trail twenty-five (25) feet in width from the mean high tide line of Uyak Bay at site EIN 30a D9 in Sec. 32, T. 32 S., R. 28 W., Seward Meridian, westerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- v. (EIN 32 C6, L) An easement for a proposed access trail twenty-five (25) feet in width from Uyak

Bay westerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

- w. (EIN 33b C6, L) A streamside easement twenty-five (25) feet in width on both banks and the entire bed of the Thumb River from its mouth to the outlet on Thumb Lake. Purpose is to provide for public use of waters having highly significant present recreational use.
- x. (EIN 34 C6, L) A site easement upland of the ordinary high water mark in Sec. 31, T. 32 S., R. 29 W., Seward Meridian, on the right bank of the Thumb River at the confluence with Karluk Lake. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the river and lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- y. (EIN 36 D9) An easement for a proposed access trail twenty-five (25) feet in width from the shore of Karluk Lake in Sec. 14, T. 32 S., R. 30 W., Seward Meridian easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- z. (EIN 37 D9) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 39 C4 in Sec. 3, T. 32 S., R. 30 W., Seward Meridian, northeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- aa. (EIN 38 D9) An easement for a proposed access trail twenty-five (25) feet in width from the shore of Karluk Lake in Sec. 27, T. 32 S., R. 30 W., Seward Meridian southwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- ab. (EIN 39 C4) A site easement upland of the ordinary high water mark in Sec. 3, T. 32 S., R. 30 W., Seward Meridian, on the shore of Karluk Lake at the mouth of Moraine Creek. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- ac. (EIN 40 C4) An easement for a proposed access trail twenty-five (25) feet in width along the north shore of Karluk Lake from site EIN 21 C1, C6, D9, L at the outlet of Karluk Lake in Sec. 33, T. 31 S., R. 30 W., Seward Meridian to site EIN 39 C4 in Sec. 3, T. 32 S., R. 30 W., Seward Meridian at the mouth of Moraine Creek. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.



- ad. (EIN 41a C4) A site easement upland of the ordinary high water mark in Sec. 23, T. 31 S., R. 28 W., Seward Meridian, on the shore of a small unnamed lake at the head of Brown's Lagoon. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- aa. (EIN 41b C4) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 41a C4 in Sec. 23, T. 31 S., R. 28 W., Seward Meridian, southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- af. (EIN 43 C4, C6) An easement for a proposed access trail twenty-five (25) feet in width from the shore of the Karluk River in Sec. 18, T. 31 S., R. 30 W., Seward Meridian, southwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- ag. (EIN 44C) The right of the United States to enter upon the lands herein granted for cadastral, geodetic or other survey purposes is reserved together with the right to do all things necessary in connection therewith.
- ah. (EIN 47 C4) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 13b C6, D9, L in Sec. 31, T. 30 S., R. 30 W., Seward Meridian, southwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

These reservations have not been conformed to the Departmental easement policy announced March 3, 1978. Conformance is contingent upon resolution of the litigation Calista, et al. v. Andrus and implementation of the Secretary's new easement policy.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights, therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g) (1970))), contract, permit, right-of-way, or easement, and the rights of the lessee, contractor, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;

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 Date AUG 24 1978

3. Public airport lease AA-9087, containing approximately 100.06 acres, located in Secs. 31 and 32, of T. 30 S., R. 29 W., Seward Meridian, issued to the State of Alaska, Department of Public Works, Division of Aviation, under the provisions of the act of May 24, 1928 (45 Stat. 723-729; 49 U.S.C. 211-214 (1970));
4. The following third-party interests created and identified by the U.S. Fish and Wildlife Service as provided by Sec. 14(g) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(g) (Supp. V, 1975)):
  - a. Free use permit to State of Alaska, Department of Public Works, Division of Aviation, for the purpose of removing 6,000 cubic yards of borrow materials from lands in Sec. 32, T. 30 S., R. 29 W., Seward Meridian.
  - b. Permit M-1 for airport right-of-way to State of Alaska, Department of Public Works, Division of Aviation, for the purpose of establishing, operating, and maintaining the Larsen Bay Airport on lands in Sec. 32, T. 30 S., R. 29 W., Seward Meridian.
5. Requirements of Sec. 22(g) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 714; 43 U.S.C. 1601, 1621(g) (Supp. V, 1975)), that (a) the above-described lands which are within the boundaries of the Kodiak National Wildlife Refuge on December 18, 1971, remain subject to the laws and regulations governing use and development of such refuge, and that (b) the right of first refusal, if said land or any part thereof is ever sold by the above-named corporation, is reserved to the United States;
6. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c) (Supp. V, 1975)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section; and
7. The terms and conditions of the agreement dated November 12, 1976, between the Secretary of the Interior; Koniag, Inc.; Nu-Wachk Pit, Inc. and other Koniag village corporations. A copy of the agreement is hereby attached to and made a part of this conveyance document and shall be recorded therewith.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed this 24th day of August, 1978, in Anchorage, Alaska.

UNITED STATES OF AMERICA

*Sue A. Goff*  
 Chief, Branch of Adjudication